

**Amendments to the Drawings:**

The attached replacement drawing sheet makes changes to Fig. 4 and replaces the original sheet with Figs. 4A and 4B.

Attachment: Replacement Sheet

**REMARKS**

Claims 14-26 are pending in this application. Claim 23 is withdrawn from consideration. By this Amendment, claim 14, Fig. 4 and the specification are amended. No new matter is added by these amendments. Reconsideration based on the amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

**I. Objection to the Drawings**

The Office Action objects to Fig. 4 for improper labeling. Applicants respectfully submit that Fig. 4 as amended overcomes the objection. Specifically, Applicants amend Fig. 4 to label both drawings depicted therein Fig. 4A and 4B, respectively. Withdrawal of the objection is respectfully requested.

**II. The Claims Define Allowable Subject Matter**

The Office Action rejects claims 14-16, 19, 20 and 22 under 35 U.S.C. §103(a) as being unpatentable over JP-20001241403 (JP 403) in view of U.S. Patent No. 6,575,076 to Achten; claim 17 under 35 U.S.C. §103(a) as being unpatentable over JP 403 in view of Achten, and further in view of U.S. Patent No. 6,216,456 to Mitchell; claim 18 under 35 U.S.C. §103(a) as being unpatentable over JP 403 in view of Achten, and further in view of

U.S. Patent No. 5,810,125 to Gezari; claim 21 under 35 U.S.C. §103(a) as being unpatentable over JP 403 in view of Achten, and further in view of 5,988,330 to Morris; claims 24-26 under 35 U.S.C. §103(a) as being unpatentable over JP 403 in view of Achten, and further in view of U.S. Patent No. 5,706,919 to Kruckemeyer et al. The rejections are respectfully traversed.

Applicants' amend claim 14 to clarify, *inter alia*, that hydraulic unit 22, for example as shown in Fig. 2, is not arranged in the pressure medium flow path between tank 20 and cylinder chamber 34 by way of workline 38 and hydraulic unit 24. Applicants maintain that JP 403 fails to teach a hydraulic control device as claimed. Specifically, JP 403 discloses in its figure a hydraulic control device for a cylinder C with a primary and secondary pump P1 and P2. A tank T is connected to a cylindrical chamber (a) over the cylinder (C) by a unit P2 and to a piston rod-side ring chamber (B) via unit P2, unit P1 and conduit 15. In the presently claimed combination of features, there is only the ring chamber 32 in Fig. 2 connected to the tank T via the first hydraulic unit 22. The cylindrical chamber 34 is not in connection with tank T. As such, the hydraulic control device of JP 403, having a different arrangement, cannot accommodate the advantages attributed to the presently claimed combination of features as discussed at paragraph 42, page 2 and 3 and paragraph 51, page 3 of the present application. Moreover, the Office Action admits that JP 403 fails to teach a hydraulic accumulator. However, the Office Action asserts that Achten teaches an accumulator as presently claimed. Applicants respectfully submit that this is technically incorrect. Indeed, Achten shows an accumulator 64 in Fig. 15 arranged in the pressured medium flow path between a pump 60, a motor 62 and a linear drive 63 for damping the fluctuations in the oil pressure, but the accumulator 64 is not comparable with the hydraulic accumulator 42 in Fig. 2 of the present application. Specifically, the accumulator 42 of the present application is connected with a workline 38 and with a cylinder chamber 34, so that the pressure in the

cylinder chamber 34 becomes largely independent of the cylinder stroke, and the pre-set pressure prevails permanently, as discussed in paragraph 40, page 2 of the present application. These advantages cannot be achieved by JP 403 in combination of Achten.

The reasons including the forgoing, Applicants respectfully submit that JP 403, either alone or in combination with the applied references, fails to teach or suggest the currently claimed combination of features. Accordingly, withdrawal of the rejections is respectfully requested.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

John A. Radi  
Registration No. 59,345

JAO:RAC/jgg

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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